



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10**

1200 Sixth Avenue, Suite 900
Seattle, Washington 98101-3140

AUG 18 2016

**OFFICE OF
COMPLIANCE AND ENFORCEMENT**

Reply to: OCE-101

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

NOTICE OF VIOLATION

The Honorable Mark Lapinskas
Mayor, City of Kendrick
808 Railroad Street
P.O. Box 195
Kendrick, Idaho 83537

Re: City of Kendrick WWTF
NPDES Permit Number ID-002455-4

Dear Mayor Lapinskas:

On February 15, 2005, the U.S. Environmental Protection Agency (EPA) issued a National Pollutant Discharge Elimination System (NPDES) permit to the City of Kendrick, Idaho ("City") for its wastewater treatment facility ("Facility"), NPDES Permit Number ID-002455-4 ("Permit"). The Permit went into effect on April 1, 2005, and expired on March 31, 2010. Subsequently, EPA administratively extended the Permit. The Idaho Department of Environmental Quality (IDEQ) has inspected the Facility twice on behalf of EPA since issuance of the Permit. IDEQ inspected the Facility on May 15, 2009 and again on August 7, 2012.

Because of the 2009 inspection and later administrative file review, which included the Discharge Monitoring Reports (DMRs) submitted by the City, EPA issued a Consent Agreement and Final Order (CAFO) due to 1,427 effluent exceedances of Permit limitations with an assessed penalty of \$3,500.

On July 18, 2016, EPA conducted a review of the Facility's administrative files, again including the DMRs submitted by the Facility. The records reviewed were from June 2011 through July 2016. The purpose of the file review was to determine the Facility's continued compliance with the requirements of the Clean Water Act (CWA) and the NPDES Permit. The purpose of this letter is to notify you of violations EPA discovered during its review.

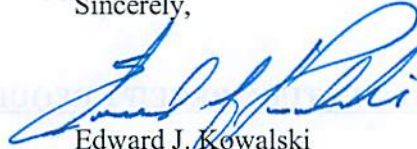
ADMINISTRATIVE FILE REVIEW

EPA reviewed DMRs from June 2011 through July 2016 and identified effluent limitation exceedances that constitute 309 violations of the CWA, 33 U.S.C. § 1251 *et seq.* A list of these violations is enclosed (Enclosure).

Although our goal is to ensure NPDES facilities comply fully with their permits, the ultimate responsibility rests with the permittee. As such, I want to strongly encourage you to continue your efforts to maintain full knowledge of the Permit requirements, and other appropriate statutes, and to respond appropriately to ensure compliance. Notwithstanding your response to this letter, EPA retains all rights to pursue enforcement actions to address these and any other violations.

If you have any questions concerning this matter, please do not hesitate to call Raymond Andrews of my staff at (206) 553-4252.

Sincerely,



Edward J. Kowalski
Director

Enclosure

cc: Mr. Stephen Berry
Idaho Department of Environmental Quality

Mr. John Cardwell
IDEQ, Lewiston Regional Office

Enclosure
Effluent Exceedance Violations

Monitoring Period	Parameter	DMR Value	Permit Limit	Limit Type	# Violations
November 2011	Solids, total suspended	112 mg/L	45 mg/L	Mo Avg	30
November 2011	Solids, total suspended	112 mg/L	65 mg/L	Wkly Avg	7
November 2011	E. coli	2419.2/100mL	406/100mL	Inst Max	1
December 2011	Solids, total suspended	56 mg/L	45 mg/L	Mo Avg	31
May 2012	Solids, total suspended	51 mg/L	45 mg/L	Mo Avg	31
March 2013	BOD, 5-day, % rmv	84.10%	85%	Mn % Rmv	31
April 2013	BOD, 5-day, % rmv	83.40%	85%	Mn % Rmv	30
May 2013	Solids, total suspended	76 mg/L	45 mg/L	Mo Avg	31
May 2013	Solids, total suspended	76 mg/L	65 mg/L	Wkly Avg	7
April 2014	BOD, 5-day, 20 deg. C	30.6 mg/L	30 mg/L	Mo Avg	30
April 2014	pH	9.5 SU	9.0 SU	Inst Max	1
April 2014	Solids, total suspended	49 mg/L	45 mg/L	Mo Avg	30
February 2015	Solids, total suspended	46 mg/L	45 mg/L	Mo Avg	28
February 2015	E. coli	488.4/100mL	406/100mL	Inst Max	1
May 2015	pH	9.87 SU	9.0 SU	Inst Max	1
May 2015	Solids, total suspended	91.7 mg/L	45 mg/L	Mo Avg	31
May 2015	Solids, total suspended	91.7 mg/L	65 mg/L	Wkly Avg	7
May 2015	BOD, 5-day, % rmv	49.20%	85%	Mn % Rmv	31
May 2015	Solids, suspended % rmv	60.80%	65%	Mn % Rmv	31